

TOWN OF FOREST HEIGHTS COUNCIL WORK SESSION MEETING

Monday, March 7, 2022
7:30 pm
Municipal Building
Zoom Dial-In 1-301-715-8592
Meeting ID 860 0831 6885

Agenda

- I. Call to Order
- II. Roll Call
- III. Moment of Silence
- IV. Pledge of Allegiance to the Flag of the United States of America
- V. Approval of Agenda
- VI. Approval of Consent Agenda
 - a. Minutes from February 7, 2022
 - b. Minutes from February 16, 2022
 - c. Presentation: 10 min: CDC, Mrs. Mann “Small Act of Kindness” program
 - d. Presentation: 10 min: John O’Connor “Town of Forest Heights COPS Hiring Grant” program
- VII. Public Period (limit 2 minutes)
- VIII. Reports
 - a. Treasurer
 - b. Public Works Director
 - c. Ombudsman
 - d. Police Chief
 - e. Town Administrator
- IX. Councilmember/Mayor Report
 - a. Ward I
 - b. Ward II
 - c. Ward III
- X. Legislation
 - a. **Resolution 09-22** A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT OF JAYVAUGHN TAYLOR AS A POLICE OFFICER TO SERVE WITHIN THE FOREST HEIGHTS POLICE DEPARTMENT AND TO APPROVE A REIMBURSEMENT AGREEMENT
 - b. **Resolution 10-22** A RESOLUTION TO PROVIDE PREMIUM PAY TO ELIGIBLE MUNICIPAL WORKERS PERFORMING ESSENTIAL WORK DURING THE PANDEMIC USING CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS.

TOWN OF FOREST HEIGHTS COUNCIL WORK SESSION MEETING

- c. **Resolution 11-22** A RESOLUTION TO APPROVE A PROPOSAL AND CONTRACT TO PROVIDE ASPHALT PAVEMENT RESTORATION FOR CREE DRIVE RELATING TO PHASE I (REVISED) THE INSTALLATION OF STEEP SLOPE STABILIZATION AND REPAIRS RECENTLY COMPLETED BY ANOTHER VENDOR.
- d. **Resolution 13-22** A RESOLUTION TO APPROVE A PROPOSAL AND CONTRACT FROM Z CON LLC (CONCRETE SPECIALISTS) TO REPAIR DAMAGED SECTIONS OF THE PERVIOUS PAVEMENT SIDEWALK ALONG ROLPH DRIVE.
- e. **Charter Amendment Resolution 01-22** A CHARTER AMENDMENT RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND AMENDING SECTION 33-3 (NUMBER; SELECTION, TERM), SECTION 33-6 (MEETINGS); SECTION 33-15 (NUMBER; SELECTION, TERM); SECTION 33-32 (ELECTION OF MAYOR); AND SECTION 33-33 (ELECTION OF COUNCILMEN); OF THE CHARTER OF THE TOWN OF FOREST HEIGHTS, MARYLAND TO CHANGE THE TERM OF OFFICE FOR ELECTED OFFICIALS FROM TWO TO FOUR YEARS TO COMMENCE AFTER THE GENERAL MUNICIPAL ELECTION HELD IN MARCH OF 2023; AND GENERALLY RELATING TO THE TERMS FOR ELECTIVE OFFICE WITHIN THE TOWN GOVERNMENT.

XI. New Business

XII. Adjournment

Town of Forest Heights
Town Meeting- 8:00 PM
Wednesday, February 16, 2022
Meeting Minutes
Virtual Meeting

Call to Order: 8:00 PM

Roll Call: CM Barnes, CW Brownson, CW Noble, CW Hines, CM Lilly, Mayor Washington present, CM Atkinson absent. Quorum established.

Moment of Silence:

Pledge of Allegiance:

Approval of Agenda: Motion by Mayor Washington to approve the agenda as amended; seconded by CW Hines; all in favor; motion passed.

Public Period: None.

Legislation

Resolution 04-22 A resolution to approve the submission of a legislative action request ("lar") to the Maryland Municipal League ("mml") for proposed legislation regarding municipal participation in the state tax refund intercept program (trip). motion by CM Washington to waive the full reading; seconded by CM Lilly; motion by CM Washington to adopt Resolution 04-22; seconded by CW Hines; discussion; None, Vote; (6 Yea; 0 Nay) motion passed.

Resolution 05-22 A resolution of the Mayor and Council of the Town of Forest Heights, Maryland to approve the employment and appointment of Laron Swann, Jr. as a police officer to serve within the Forest Heights police department and to approve a reimbursement agreement. motion by CM Washington to waive the full reading; seconded by CW Hines; motion by CM Washington to adopt Resolution 05-22; seconded by CM Barnes; discussion; None, Vote; (6 Yea; 0 Nay) motion passed.

Resolution 06-22 A resolution of the Mayor and Council of the Town of Forest Heights, Maryland to approve the employment and appointment of Terrence Goode, Sr. as a police officer to serve within the Forest Heights police department and to approve a reimbursement agreement. motion by CM Washington to waive the full reading; seconded by CM Lilly; Hines by CM Washington to adopt Resolution 06-22; seconded by CM Barnes; discussion; None, Vote; (6 Yea; 0 Nay) motion passed.

Resolution 07-22 A resolution of the Mayor and Council of the Town of Forest Heights, Maryland to approve the employment and appointment of Andrew Thomas as a police officer to serve within the Forest Heights police department and to approve a reimbursement agreement. motion by CM Washington to waive the full reading; seconded by CW Hines; motion by CM Washington to adopt Resolution 07-22; seconded by CM Lilly; discussion; None, Vote; (6 Yea; 0 Nay) motion passed.

Resolution 08-22 A resolution approving the donation of three vehicles to the Town of Forest Heights police department by St. Mary's County commissioners and hereby authorizing the mayor to enter into an agreement to accept the donation of said vehicles on behalf of the Town. motion by CM Washington to waive the full reading; seconded by CM Lilly; motion by CM Washington to adopt Resolution 08-22; seconded by CW Hines; discussion; None, Vote; (6 Yea; 0 Nay) motion passed.

Ordinance 01-22 An ordinance of the Mayor and Council of the Town of Forest Heights, Maryland, revising article 15 (parking and traffic) of the Town Ordinance Code by amending and adding certain provisions of said article as part ii (residential parking permits) to provide for a residential parking program in certain residential areas of the town, and generally relating to traffic and parking regulation within the Town of Forest Heights. motion by CM Washington to Table Ordinance 01-22. seconded by CW Hines; discuss; CW Noble proposed that the Town do a form that would allow the entire community to weigh in on the ordinance. CW Hines stated she and the chief talked about it as well. All in favor to table Ordinance 01-22.

New Business -- Mayor Washington mentioned the town hosting the expungement fair along with the state attorney, Aisha Braveboy, on Saturday, February 26, 2022, from 10 a.m. to 2:00 p.m.

**Town of Forest Heights
Town Meeting- 8:00 PM
Wednesday, February 16, 2022
Meeting Minutes
Virtual Meeting**

CM Lilly mentioned The University of Maryland will be hosting a landscaping project for stormwater management on February 22, 2022. There will be a couple of stops available for residents to receive free rain barrels, native gardens, and/or trees installed at their property! We'll see what we can do about getting a link to the clerk.

CW Brownson mentioned that the county will start placing bulk trash out on Mondays is it possible that we can follow them? Mayor Washington said that there will be a contract adjustment, and that we would need to present it before the council for approval.

Meeting Adjournment: 8:21 PM

**Town of Forest Heights
Treasurer's Report
March 7, 2022**

	Bank Acct Balance	Quickbook Balance	Quickbook Balance
	<u>03/04/22</u>	<u>02/28/22</u>	<u>02/28/21</u>
TD Bank General Fund	222,985.06	164,539.68	98,654.37
TD Bank Rainy Day Fund	163,132.40	163,132.40	160,132.40
TD Bank Speed Camera	4,088,247.13	3,989,914.75	3,680,297.86
TD Bank ARPA Fund	<u>1,219,700.18</u>	<u>1,219,700.18</u>	<u>213,664.59</u>
	<u>5,694,064.77</u>	<u>5,537,287.01</u>	<u>4,152,749.22</u>

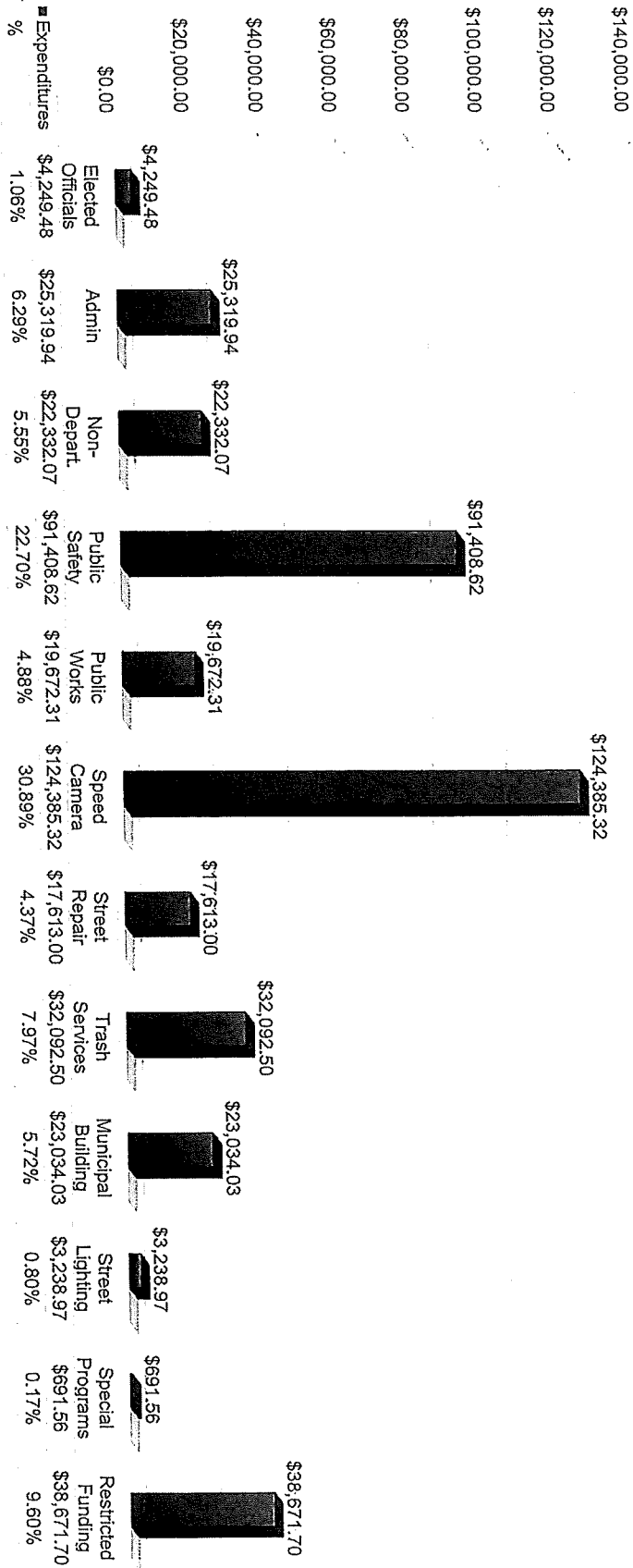
General Fund Highlights:

1. Real Estate Tax distribution - \$23,690.70
2. Income Tax distribution - \$51,635.57
3. Solar energy sold - \$387.81

ARPA Fund Highlights:

1. Transfer to the General Fund Checking Account in the amount of \$32,364.00 for the purchase of Covid-19 Test Kits.
2. Transfer to the General Fund Checking Account in the amount of \$11,038.49 for the payment of the ARPA Project Manager Salary for the months of January and February 2022.

February 2022 Expenditures



The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

March 1, 2022

Town Appearance:

- Maintenance and upkeep of the Community Park next to Henry's
- Daily Trash pickup throughout the town
- Monthly inspection of the Tot Lot
- Patching of potholes
- Reporting of Street light outages
- Leaf Pick up
- Cleaning storm drains and curbs of leaves and grass
- Cutting/removal of fallen trees
- Maintaining the Pet Waste Stations
- Monitoring of the Big-Belly Trash Compactors

Town Infrastructure:

- Received new EV charger from Pepco for DPW garage
- Received cost from electrician to install new EV charger
- We are still having some issues with Goode Trash leaving open the cans after being emptied.
- Steel Bollard have been purchased to be placed around the Brick Wall at the round-a-bout to prevent further damage to the wall.
- Missing street signs have been installed
- Remove fallen tree on Shoshone & Comanche, fallen tree on Sachem Dr.
- Stop signs installed at locations along Woodland Dr.
- DPW remove tree at Terrel & Ottawa

- **Cree Drive**
 - 1-11-22 FES broke ground and started laying the under drain
 - Each day FES provides IDR to the town by email
 - DPW inspects work progress every day.
 - Projected finish date for Phase I is mid to late March. The next step is to pave Cree Dr.
 - Walk thru with Raja El-War (FES) on 3/3/22 @ 1:00 pm

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

➤ **Rolph Drive**

- Mr. Drew Parks (Z-Con Concrete) resubmitted to the town a cost estimate (\$8,362.50) to repair the sidewalk.
- A resolution is in the makings to bring before the council.

Building Infrastructure:

- The Town Hall building is being cleaned and sanitized daily by DPW.
- DPW painted the baseboards on the stage in the Community Room
- DPW painted the ceiling in the hall stairwell.
- DPW painted doors in downstairs municipal building
- New carpet has been installed on the stage in the Community Room
- DPW installed solar lights in rear of Municipal building for parking lot lighting
- Pvmt. Corp. looked at the LT crack in the Asphalt in front parking lot for repair
- Installed shelving in DPW garage.
- Cleaned out DPW room

Equipment Maintenance

- GPS installed on the Ford F-250 2-2-22
- 2020 Ford F-250 emergency lighting installed
- Hydro Control Unit for Salt Brine Sprayer installed
- Leaf Vac in for repairs for inspection in order to get LG tags
- Echo Pole saw in for repair
- Honda Power washer in for repair

Other Areas:

- Answering Resident's concerns
- Making/receiving phone calls, follow ups and meetings with contractors and vendors daily.
- DPW putting out signs for the different events/meetings
- DPW garage cleaned out

TOWN OF FOREST HEIGHTS
AUTOMATED SPEED ENFORCEMENT OMBUDSMAN
February 2022
Ombudsman Report
Ronald B Govan

For the month of February, the Town of Forest Heights had

- **5** Late fees requested.
- **3** Late fee requests granted.
- **6** Cancel citation.
- **13** Flag Release



The Town of Forest Heights POLICE DEPARTMENT

Anthony Rease, Chief of Police

FEBRUARY REPORT

Incident Type	Total
911 DISCONNECT	19
ACCIDENT	10
ANIMAL COMPLAINT	1
ASSAULT	1
ASSIST	1
ASSIST FIRE EMS	1
CDS COMPLAINT	1
CHECK WELFARE	1
CHECK WELFARE	
COMBINED	1
CROSSING GUARD	
ASSIGNMENT	3
CW18	3
DISORDERLY	19
DOMESTIC	5
FAMILY DISPUTE	1
FIGHT	2
FOUND	1
HIT AND RUN	3
MISC POLICE INCIDENT	8
NEIGHBOR COMPLAINT	1
NOTIFICATION	1
PARTY COMPLAINT	1
PREMISE CHECK	378
PROPERTY DAMAGE	1
RESIDENTIAL ALARM	10
STOLEN VEH	2
SUBJECT STOP	5
SUSPICIOUS AUTO	12
SUSPICIOUS OCC AUTO	4
SUSPICIOUS PERSON	3
THEFT FROM AUTO	1
THEFT JO	2
THREATS COMPLAINT	1
TRAFFIC COMPLAINT	5
TRAFFIC HAZARD	1
TRESPASSING COMPL	2
UNKNOWN TROUBLE	5
VEHICLE ACCIDENT	
COMBINED	4
Total Calls -->	520



STATISTICAL REPORT

Arrest:
OnView15
DUI-4
Warrants-8
Recovered Firearms-10

Administrative Office: 301-839-4040 | Non-Emergency: (301) 352-1200 | Emergency Dial: 911

5508 Arapahoe Drive Forest Heights, Maryland 20745 Follow us

@ForestHeightsPD



Town Council Report For 3.7.22 Work Session

(Town Administrator)

National View Project Status

The Zoning Hearing Examiner for Prince George's County issued a decision in July recommending approval of the National View project rezoning (Case A-10055) subject to certain conditions. If you recall, the applicant has requested a rezoning from One Family Detached Residential (R-55) and Rural Residential (R-R) to the Mixed Use-Transportation Oriented Zone (M-X-T).

The case was recently transmitted to the Prince George's County Council, District Council, which has the task of deciding to either review the case again or accept the decision of the Zoning Hearing Examiner.

The Prince George's County District Council heard oral arguments for approval of the National View project on October 25th. As a result, on October 27th the District Council granted final conditional approval of the rezoning for the project. This is a big step forward for the applicant.

The next step is the submission and consideration of the Conceptual Site Plan for the project which is currently underway.

If you have questions or want further information, please contact the Town Administrator.

Continued Face Covering Directive for Town Employees & Administrative Order Requiring COVID Testing or Vaccination

On December 3, 2021, I issued a memorandum to staff that serves as a continuing directive during the on-going pandemic and in light of the recent emergence of the COVID-19 Omicron variant.

The directive reminds employees that we are required to continue wearing face coverings while at work or on a tour of duty. This includes the time employees spend inside the Municipal Building at work and outside the building performing job duties and interacting with the public.

Also, we have installed temperature monitoring stations at all entrances to the Municipal Building to monitor the temperature of all who visit before they meet with staff.

A copy of my Directive was emailed to all Town Councilmembers.

Additionally, on January 12, 2022, I issued an Administrative Order which requires all town employees to either obtain COVID-19 vaccinations (fully vaccinated defined as double vaccine or single Johnson & Johnson) or submit to weekly COVID-19 testing. The Order was discussed with the Town Attorney for legal sufficiency and implemented as a protocol to help combat the Coronavirus among Town staff and monitor related metrics.

A copy of my Administrative Order was emailed to all Town Councilmembers on January 18th.

Town Council Report For 3.7.22 Work Session

(Town Administrator)

Please contact me if you have any questions about either of these measures.

Cree Drive Drainage & Rehabilitation Project Status (Phase I)

The Cree Drive Drainage & Rehabilitation project is well underway and moving along efficiently. The project was recently awarded to FES Construction and consists of 3 components:

1. Installation of an underdrain system to carry stormwater into nearby storm drains.
2. Installation of new curbs and gutters where needed.
3. Installation of new driveway aprons where needed.

The project is ahead of schedule for completion. FES expects to finish its portion of the project before the end of March. (The project schedule projected completion at the end of April.)

Next, the Town is moving forward to secure a firm to complete the asphalt repaving portion of the project.

Please contact the Public Works Director or me if you have questions.

**TOWN OF FOREST HEIGHTS
RESOLUTION 09-22**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST
HEIGHTS, MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT
OF JEVAUGHN TAYLOR AS A POLICE OFFICER TO SERVE WITHIN THE
FOREST HEIGHTS POLICE DEPARTMENT AND TO APPROVE A
REIMBURSEMENT AGREEMENT**

Introduced By: Mayor Calvin Washington

WHEREAS, pursuant to Section 33-66 of the Charter of the Town of Forest Heights (the "Charter") the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Charter or other state law and to operate the Town government; and

WHEREAS, pursuant to Section 33-18(b) of the Charter, all full-time subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor with the consent of the Council, in accordance with rules and regulations of any merit system which may be adopted by the Council; and

WHEREAS, pursuant to Section 23.2 of the Town Ordinance Code, certain minimum qualifications for police officers is stated therein, and the Chief of Police has verified to the Mayor and Council that the candidate is of good moral character and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search made of local, state and criminal records, including a check of military, selective service, school and credit agency records; and

WHEREAS, pursuant to General Order No. 2016-1 (Ch. 2, § 3) sworn personnel will remain on probation until successfully completing twelve (12) consecutive months of full-time employment with the FHPD and authorized by the FHPD Chief of Police as having successfully completed the probation period; and

WHEREAS, the Council finds that Jevaughn Taylor, has shown that he has the necessary experience, training, MPTC certifications and knowledge to serve as a Police Officer in the Police Department and it is in the best interest of the Town to appoint Mr. Taylor as a Police Officer; and

WHEREAS, the Chief of Police advised in order to maintain effective 24hr police coverage the Police Department will need additional police personnel; and

WHEREAS, American Rescue Plan funds have been identified to temporarily fund the additional police personnel until the Town match funds for the Department of Justice COPS grant are identified; and

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby consents to the Mayor's appointment of Jevaughn Taylor. at the annual salary of \$50,000; and

**TOWN OF FOREST HEIGHTS
RESOLUTION 09-22**

BE IT FURTHER RESOLVED, that said officer's salary shall be paid from line item 8200 Salary from the FY2022 Budget; and

BE IT FURTHER RESOLVED, that the Town Council hereby approves the Reimbursement Agreement, attached hereto and incorporated herein, as Exhibit 1, which requires said officer to reimburse the Town in an amount not to exceed \$5,000 should he be unwilling to serve for the requisite minimum of two (2) years.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of March 2022.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

WASHINGTON

BROWNSON

NOBLE

BARNES

HINES

LILLY

ATKINSON

ATTEST:

THE MAYOR AND COUNCIL OF THE TOWN
OF FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

By: _____
Taunya Hines, Council President

CERTIFICATION

Town of Forest Heights

Resolution 09-22

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TOWN OF FOREST HEIGHTS
RESOLUTION 09-22

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of March 2022 with ___ Aye votes and ___ Nay votes the aforesaid Resolution 09-22 passed.

Sherletta Hawkins, Town Clerk

RESOLUTION 10-22
THE TOWN OF FOREST HEIGHTS

**A RESOLUTION TO PROVIDE PREMIUM PAY TO ELIGIBLE MUNICIPAL WORKERS
PERFORMING ESSENTIAL WORK DURING THE PANDEMIC USING CORONAVIRUS
STATE AND LOCAL FISCAL RECOVERY FUNDS**

Introduced By: Mayor Calvin Washington

WHEREAS, under the United States Department of Treasury's Coronavirus Aid, Relief, and Economic Security (CARES) Act, Prince George's County, Maryland, received a direct allocation from the Coronavirus Relief Fund (CRF) to cover necessary expenditures directly related to the Coronavirus Disease 2019 (COVID-19), and from that distribution the County allocated \$157,000 to the Town in FY's 2020-21; and

WHEREAS, on May 20, 2020, the Mayor and Council passed Resolution 24-20 further modifying the Mayor's emergency order dated April 5, 2020, as ratified and extended in duration by the Council through Resolution 23-20 and further increased the compensation for certain essential Town employees deployed during the declared COVID-19 emergency; and

WHEREAS, Resolution 24-20 approved and authorized special compensation or hazardous duty pay for (i) public works and public safety employee positions whose compensation was eligible for reimbursement under the CARES Act, as listed on Exhibit 1 of said resolution and to be paid retroactively and proactively commencing as of March 17, 2020, and (ii) administrative employee positions whose compensation was not eligible for reimbursement under the CARES Act, as listed on Exhibit 1 of said resolution, to be paid retroactively and proactively throughout the duration of the declared local civil emergency to said designated essential employees until such time as the Mayor terminated the emergency period as subject to subsequent review and approval or unilateral termination by the Council; and

WHEREAS, on March 19, 2021, the Mayor and Council passed Resolution 05-21 entitled "A Resolution Ending COVID-19 Hazard Pay for Essential or Designated Personnel of the Town of Forest Heights" thereby ordering the cessation and ending of the \$2 per hour hazard pay differential sometimes referred to as "Hazardous Duty Pay" due to the pandemic and previously substantially made possible by CRF funding previously made available until the end of the 2020 calendar year and the Town's General Fund for Police officers, Public Works and Administrative employees which was stopped at the commencement of the next pay period following the passage of said Resolution; and

WHEREAS, the Mayor of the Town of Forest Heights issued a proclamation continuing and further modifying the declaration of the existence of a local emergency, as ordered by the Prince George's County Executive in Order No. 11- 2021 dated May 14, 2021; and

RESOLUTION 10-22
THE TOWN OF FOREST HEIGHTS

WHEREAS, the Prince George's County Executive Angela Alsobrooks announced on August 5, 2021, that the County would reinstitute an indoor public mask mandate due to a continued rise in COVID-19 metrics and the new mandate would go into effect on August 8, 2021; and

WHEREAS, the Town Administrator issued a directive on August 10, 2021, regarding the "Closure of the Town of Forest Heights Municipal Building and Notice of Possible COVID-19 Exposure" to all Town employees with the closure to be in effect until further notice; and

WHEREAS, on January 5, 2022, the Mayor and Council passed Resolution 01-22 entitled "A Resolution to Approve a Spending Plan for the Town's Allocations of American Rescue Plan Funds" regarding the Town's allocation of Coronavirus State and Local Fiscal Recovery Funds (SLFRF) administered by the State to non-entitlement jurisdictions amounting to \$2,526,205.34 for the Town's allocation and said Plan included five (5) major expenditure categories, which said Resolution 01-22 shall be amended by this Resolution; and

WHEREAS, on January 17, 2022, the Town Administrator promulgated an Administrative Order mandating certain vaccination or testing requirements for the Town's employees; and

WHEREAS, the SLFRF program provides governments across the country with the resources needed to: 1.) Fight the pandemic and support families and businesses struggling with its public health and economic impacts, 2.) Maintain vital public services, even amid declines in revenue resulting from the crisis, and 3.) Build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity; and

WHEREAS, funding from the Coronavirus SLFRF is subject to the requirements specified in the Final Rule released by the U.S. Department of the Treasury on January 6, 2022 and said department released an "Overview of the Final Rule," which provides a summary of major rule provisions to assist recipients and stakeholders; and

WHEREAS, the Final Rule takes effect on April 1, 2022, though recipients (i.e., cities and towns) can choose to take advantage of its flexibilities and simplifications now by consulting the Statement Regarding Compliance with the Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule and Final Rule for more information on compliance with the Interim Final Rule and the Final Rule; and

WHEREAS, funding from the Coronavirus SLFRF may be used to provide premium pay that "responds to" certain "eligible workers" performing "essential work" during the pandemic and said pay may be awarded to eligible workers up to \$13 per hour and said pay must be in addition to wages or remuneration (i.e., compensation) the eligible worker otherwise receives, and premium pay may not exceed \$25,000 for any single worker during the program; and

RESOLUTION 10-22
THE TOWN OF FOREST HEIGHTS

WHEREAS, under the Final Rule, which supersedes State and local law, “eligible workers” include state, local or local government workers, and “essential work” means work that is not performed while teleworking from a residence and involves either in-person interactions or physical handling of items that were handled by the public or coworkers, and “responds to” means that the worker falls into one of three categories that follows: (i) the eligible worker’s pay (with or without the premium) is at or below 150 percent of their residing state’s or county’s average annual wage for all occupations, whichever is higher, on an annual basis; (ii) the eligible worker receiving premium pay is not exempt from FLSA; or (iii) the eligible worker does not meet the above requirements but the recipient entity submits a written justification; and

WHEREAS, under the Final Rule premium pay may be awarded in installments or lump sums (e.g., monthly, quarterly, etc.) and may be awarded to hourly, part-time or salaried or non-hourly workers, and premium pay must be paid in addition to wages already received and may be paid retrospectively and a recipient jurisdiction may not use SLFRF to merely reimburse itself for premium pay or hazard pay already received by the worker and premium pay may not be paid to volunteers; and

WHEREAS, the Mayor and Town Administrator recommend that the Town provide all employees (i.e., full and part time) a one-time lump sum payment or as no fewer than six (6) payday (bi-weekly) installment payments totaling \$6,240.00 as SLFRF Premium Pay effective immediately; and

WHEREAS, the Mayor and Council finds that the annual mean wage for the State of Maryland as determined by the Bureau of Labor Statistics is \$30.58 hourly or \$63,610 annually, and that 150 percent of that wage is \$45.87 hourly or \$95,415 annually.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby orders the payment of SLFRF Premium Pay, as described above, to all of its employees to commence at the next pay period following the passage of this Resolution.

AND BE IT FURTHER RESOLVED, that this Resolution shall authorize an amendment and reallocation of funding from Resolution 01-22 to amend the approved document entitled “Town of Forest Heights Recovery Plan – State and Local Fiscal Recovery Funds – 2021 Report”; authorizing a transfer of \$162,640.00 plus FICA from Infrastructure and establishing project number TOFH-FY22-HZDP-0001 “Covid 19 Hazard Pay” and any related budget amendments.

AND BE IT FURTHER RESOLVED, that the Mayor is authorized to sign this Resolution on behalf of the Council.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

RESOLUTION 10-22
THE TOWN OF FOREST HEIGHTS

PASSED this ____ day of March 2022.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
WASHINGTON	_____
BROWNSON	_____
NOBLE	_____
BARNES	_____
HINES	_____
LILLY	_____
ATKINSON	_____

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of March 2022 with ____ Aye votes and ____ Nay votes the aforesaid Resolution ____-22 passed.

Sherletta Hawkins, Town Clerk

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 11- 22**

A RESOLUTION TO APPROVE A PROPOSAL AND CONTRACT TO PROVIDE ASPHALT PAVEMENT RESTORATION FOR CREE DRIVE RELATING TO PHASE I (REVISED) THE INSTALLATION OF STEEP SLOPE STABILIZATION AND REPAIRS RECENTLY COMPLETED BY ANOTHER VENDOR

Introduced by: Mayor Calvin Washington

WHEREAS, on October 20, 20021, the Mayor and Council approved Resolution 45-21 entitled "A Resolution to Approve Phase I (Revised) of a Proposal and Contract from FES Group, LLC to Provide Steep Slope Stabilization and Repairs, and make Roadway Improvements along or near Cree Drive;" and

WHEREAS, after the September 15, 2021 Town Council meeting, staff reevaluated and determined that the proposed cost of the project as provided in Resolution 45-21, as originally written, was more than could be reasonably allocated for the project in the FY22 Budget, and as a result, staff and the vendor revisited the original scope of work to determine if there was an optimal phased-in approach to be considered which could move the project forward, accomplish the goals to rehabilitate the street, but also better align with the Town's fiscal resources to adequately fund the project at this time; and

WHEREAS, the Charter, Section 33-63(g) (Purchases and contracts) states that the Mayor and Council by a two-thirds vote may waive the competitive bidding requirements of said section for good cause shown for sole source procurements of unique products and services provided written findings are made as to the basis of such waiver shall be placed in the journal of the Council's proceedings; and

WHEREAS, as reported last October, the Town had recently received its first-year installation of American Rescue Plan Act funding in the amount of \$1,263,102.67 which was distributed by the State of Maryland to the Town as a Non-Entitlement Entity recipient, and one of the eligible categories for use of these funds is to support municipal infrastructure projects; and

WHEREAS, the Council considering Resolution 45-21, found that in addition to \$1,263,102.67 from the American Rescue Plan Act already partially distributed to the Town, other potential funding sources for the Project in FY22 included: (i) Highway User Funds - \$101,000.00, (ii) Casino Impact Funds (Casino) - \$120,000.00, (iii) State Infrastructure Grant - \$125,000.00, and (iv) State Infrastructure Bond (balance) \$311,000.00; and

WHEREAS, prior to work commencing on Cree Drive this past January, the Town obtained from FES Group, LLC ("FES") a Fee Proposal for the Engineering, Design, and Construction of Slope Erosion Repair and Stabilization of Cree Drive Drainage Improvements and Road Repair (FES Project No. 21-016) dated August 2, 2021, which was amended on October 4, 2021; and

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 11- 22**

WHEREAS, said FES Proposal (Phase I - revised) as modified was limited to construction of concrete aprons, drainage improvements, and curb and gutter at Cree Drive Drainage Improvements in Forest Heights at a project cost not to exceed \$752,400.00, which was adjusted and decreased from the original quote of \$1,711,700.00; and

WHEREAS, at said meeting held on September 22, 2021, the Town staff and FES were able to agree upon a revised scope of work, and the aforementioned revised scope of work or new sub-scope included the following: Plan drawings and submittals, underdrain installation and removal and replacement of curbs, gutters and driveway aprons; and

WHEREAS, said FES Proposal originally recommended that the project be performed in two (2) phases to minimize the impact on the existing residences and movement of traffic along Cree Drive consisting of steep slope stabilization repair and roadway improvements for Phase I per Section 6 of the Proposal; and

WHEREAS, at the Town special meeting held on September 30, 2021, then Acting Mayor Washington presented a revised plan as described herein and concluded by urging the Council to consider moving forward with the project based on a "modified first phase" where such approach is scaled down further in the scope of work as was indicated in the original Resolution 45-21, as tabled; and

WHEREAS, the revised scope of work (as re-printed below) decreased the cost of Phase I of the project from \$1,711,700.00 to \$752,400.00; however, because of the relatively high proposed costs from FES for the milling and repaving of the length of Cree Drive, staff recommended that the Town consider entering into a contract with another vendor to complete the job of milling and repaving, since proposals for this service from another vendor, had historically come in significantly lower than the FES proposal referenced above, and

PHASE I FEES

Phase 1A- Surveying and Grading Plan...	\$195,700.00
Phase 1C- Underdrain System Install and Inlets...	\$178,900.00
Phase 1C.1 - Concrete Aprons (69 each)...	\$125,500.00
Phase 1D – Removal and Replacement of Curb and Gutters	<u>\$252,300.00</u>
TOTAL:	\$752,400.00

It was previously noted last October in Res. 45-21, that the plan would include, as recommended by staff, an additional finishing aspect of the project which would be the milling and repaving of the entire street by another firm, and staff estimated that this aspect would cost approximately an additional \$275,000.00, to be approved later by a separate Resolution; and

WHEREAS, the Staff recommends that in order to complete the Cree Drive stabilization project that the milling and replacement portion of work be provided by Choice Concrete Construction, Inc., a business in good standing with the State and having performed numerous contracts with the Town; and

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 11- 22**

WHEREAS, the Council finds that Choice Concrete Construction, Inc.'s services are unique and the best bid in terms of the quality of goods and work, successful past performance on Town projects, time of delivery or completion, and responsibility of vendors being considered.

NOW THEREFORE BE IT RESOLVED that the Town Council hereby accepts the aforementioned Proposal entitled "Asphalt Pavement Restoration for: Cree Drive," originating date of Jan. 17, 2022, and further approves and authorizes the Town to proceed with the said contract quoted at \$362,810.00 with certain terms and conditions enumerated therein, for the asphalt base patching, sub-grade stabilization, asphalt milling and overlay, line striping, asphalt speed hump installation and traffic management along Cree Dr. prepared by Choice Concrete Construction, Inc., a Maryland company that is in good standing with the State, which is attached hereto and incorporated by reference herein as Exhibit 1.

AND, BE IT FURTHER RESOLVED that the Town Council hereby authorizes the finalized written contract with Choice Concrete Construction, Inc. to be paid pursuant to FY22 Budget Line Item(s): 8000 (*Street Repair Projects*), 8200 (*ARPA*) with any proofs of insurance and indemnifications deemed necessary by the Town Administrator to protect the Town and carry out the performance of the project described herein.

AND, BE IT FURTHER RESOLVED, that prior to the Mayor signing the approved proposal or contract and notwithstanding anything in said contract to the contrary, the authorized representative of said company or firm shall provide proof of insurance indemnifying the Town, to the satisfaction of the Town Administrator, and that the Contractor shall agree by signing a release and waiver that it will provide and maintain at all times during the term of this agreement, or any other contract it has with the Town, such insurance coverage (Commercial General Liability, Business Automobile Liability, and Workers' Compensation) to adequately protect the Town or as otherwise required by law and that the Contractor shall cover any claim that may arise while engaged in work under any agreement with the Town.

AND, BE IT FURTHER RESOLVED that the Town Council by a two-thirds vote hereby waives the competitive bidding requirements of Section 33-66 of the Town Charter for good cause shown for sole source procurements of unique products and services.

AND BE IT FURTHER RESOLVED that the Town Administrator and Town Treasurer shall ensure that the Annual Budget Ordinance, as amended, and any duly authorized amendatory budget resolutions, and the detailed line-item budget/quarterly financial reports are properly introduced, enumerated and amended to accommodate, validate and reflect the intent of this Resolution.

AND BE IT FURTHER RESOLVED that the Mayor, on behalf of the Town, is hereby authorized to enter into the subject Proposal/Contract and execute any other necessary

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 11- 22**

documents needed to carry out the intent of this Resolution prior to the commencement of any work; and

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

PASSED this ____ day of March 2022.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

LILLY

BROWNSON

ATKINSON

BARNES

HINES

WASHINGTON

NOBLE

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ of March 2022 with ____ Aye votes and ____ Nay vote (i.e., a 2/3rds majority of quorum) the aforesaid Resolution ____-22 passed.

Sherletta Hawkins, Town Clerk

[Exhibit 1 - Choice Concrete Construction, Inc._*Proposal/Contract (dated Jan. 17, 2022)*]

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 13-22**

**A RESOLUTION TO APPROVE A PROPOSAL AND CONTRACT FROM Z CON LLC
(CONCRETE SPECIALISTS) TO REPAIR DAMAGED SECTIONS OF THE
PERVIOUS PAVEMENT SIDEWALK ALONG ROLPH DRIVE**

Introduced by: Mayor Calvin Washington

WHEREAS, the Town has the authority to approve contracts and procurement pursuant to Town Charter Section 33-63 and Town Code Section 20.4, and

WHEREAS, Town Code Section, 20.4 (6) (Procedures) states that the Mayor and Council may exempt the competitive selection requirements for goods and services of said section for good cause shown for sole source procurements of unique products and services, and

WHEREAS, in June of 2017 the Town hired Scheibel Construction to construct a pervious sidewalk along Rolph Drive as part of the Rolph Drive Reconstruction Project, and

WHEREAS, Scheibel Construction was hired to complete the pervious pavement sidewalk because the original firm hired (Manual Luis Construction Co.) was unable to complete the project due to an inability to commence before related grants for the project expired, and

WHEREAS, Pursuant to Resolution 51-17, the Town Council approved the assignment of the Manuel Luis Construction Co. contract to Scheibel Construction Co. for the Rolph Dr. project, and

WHEREAS, certain sections of the Rolph Drive pervious pavement sidewalk and connected curbing are damaged, have fallen into disrepair and are experienced cracking and separation that is in need of repair and is a public safety issue for pedestrian using the sidewalk, and

WHEREAS, the Town reached out to and met with Scheibel Construction to assess the damage and discuss repair, but the sidewalk construction work was outside the warranty period, and

WHEREAS, the Town wishes to utilize the specialized services of Z Con LLC to demolish the existing damaged sections of sidewalk and curbing and replace said sections with new subgrade support and pervious pavement sidewalk as needed and recommended in the attached *Proposal* referred to herein as Exhibit A and the attached *Contract* referred to as Exhibit B, and

WHEREAS, the Town recommends using Z Con LLC as they are one of the few specialized firms that construct, maintain and repair such pavement and in light of past experience with the firm including the specialized cleaning of the Rolph Drive pervious pavement sidewalk historically, as well as the relatively recent construction of a similar pervious pavement sidewalk project they constructed along North Huron Drive, and

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 13-22**

WHEREAS, the Mayor and Town Council finds that Z Con LLC services should be considered for sole source procurement, as they are unique in terms of the quality of goods and work, successful past performance on Town projects, time of delivery or completion, and responsibility of vendors considered.

NOW THEREFORE BE IT RESOLVED that the Town Council hereby accepts and approves the attached Proposal from Z Con LLC to repair the damaged sections of the Rolph Drive Pervious Pavement Sidewalk and authorizes the Town to proceed with the attached Contract quoted at \$8,362.50 with certain terms and conditions enumerated therein, which is attached hereto and incorporated by reference herein as Exhibit B.

AND, BE IT FURTHER RESOLVED that the Town Council hereby authorizes the finalized written contract with Z Con LLC to be paid pursuant to FY22 Budget Line Item: 7243 (*Street Repair*), with any proofs of insurance and indemnifications deemed necessary by the Town Administrator to protect the Town and carry out the performance of the project described herein.

AND, BE IT FURTHER RESOLVED, that prior to the Mayor signing the approved proposal or contract and notwithstanding anything in said contract to the contrary, the authorized representative of said company or firm shall provide proof of insurance indemnifying the Town, to the satisfaction of the Town Administrator, and that the Contractor shall agree by signing a release and waiver that it will provide and maintain at all times during the term of this agreement, or any other contract it has with the Town, such insurance coverage (Commercial General Liability, Business Automobile Liability, and Workers' Compensation) to adequately protect the Town or as otherwise required by law and that the Contractor shall cover any claim that may arise while engaged in work under any agreement with the Town.

AND, BE IT FURTHER RESOLVED that the Town Council hereby waives the competitive requirements of Code Section 20.4 of the Town Code for good cause shown for sole source procurements of unique products and services.

AND BE IT FURTHER RESOLVED that the Mayor, on behalf of the Town, is hereby authorized to enter into the subject Proposal/Contract and execute any other necessary documents needed to carry out the intent of this Resolution prior to the commencement of any work; and

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

PASSED this ____ day of March 2022.

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 13-22**

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

LILLY

BROWNSON

ATKINSON

BARNES

HINES

WASHINGTON

NOBLE

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Calvin Washington, Mayor

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ of March 2022 with ___ Aye votes and ___ Nay vote (i.e., a 2/3rds majority of quorum) the aforesaid Resolution ___-22 passed.

Sherletta Hawkins, Town Clerk

[Exhibits A&B – Z Con LLC (Concrete Specialists)_Proposal/Contract]

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS
CHARTER AMENDMENT RESOLUTION NUMBER 01 - 22**

A CHARTER AMENDMENT RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND AMENDING SECTION 33-3 (NUMBER; SELECTION, TERM), SECTION 33-6 (MEETINGS); SECTION 33-15 (NUMBER; SELECTION, TERM); SECTION 33-32 (ELECTION OF MAYOR); AND SECTION 33-33 (ELECTION OF COUNCILMEN); OF THE CHARTER OF THE TOWN OF FOREST HEIGHTS, MARYLAND TO CHANGE THE TERM OF OFFICE FOR ELECTED OFFICIALS FROM TWO TO FOUR YEARS TO COMMENCE AFTER THE GENERAL MUNICIPAL ELECTION HELD IN MARCH OF 2023; AND GENERALLY RELATING TO THE TERMS FOR ELECTIVE OFFICE WITHIN THE TOWN GOVERNMENT.

INTRODUCED BY: Councilwoman Theresa Brownson

WHEREAS, the Town Council is authorized by Article XI-E, § 4 of the Constitution of the State of Maryland and Subtitle 3 of Title 4 of the LG Article of the Annotated Code of Maryland, to amend the Town Charter by a resolution of the legislative body of the municipal corporation; and

WHEREAS, the General Assembly of Maryland passed House Bill 615 during the 2018 session effective July 1, 2018 requiring the legislative body of a municipality to hold a public hearing and give at least 21-days' notice by posting the notice in a public place before adopting a resolution initiated by the legislative body that proposes an amendment to the municipal charter; and

WHEREAS, the Council finds that anecdotally the 157 municipalities of this State have terms of elective office ranging from 1 to 5 years and that said terms of office for the various municipal corporations are in a constant but gradual state of flux due to a steady trickle of charter amendments being passed from time to time; and

WHEREAS, the Mayor and Council further find that it is in the best interest of the Town to amended the Town Charter to save the Town the expense of carrying out too frequent a number of elections and to promote having a legislative body that is more effective in accomplishing goals and programs during their terms and committee assignments.

Section 1. NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS on this ____ day of March 2022, that the Charter of The Town of Forest Heights, Maryland including the specific sections enumerated below shall be and is hereby changed and amended to read as follows:

* * *

THE COUNCIL

Section 33-3. Number; selection, term.

All legislative powers of the Town shall be vested in a Council consisting of the Mayor and six Councilmen who shall be elected as hereinafter provided and who, unless otherwise stated herein, shall hold office for a term of ~~[[two]]~~ FOUR years or until the succeeding Council takes office, but in no case shall a person elected OR APPOINTED to Council or any other elective office under this Charter serve more than twelve (12) consecutive years in elective office. The regular term of Councilmen shall expire on the first Wednesday following the election and qualification and installation of their successors. ~~[[Except as otherwise stated herein, Councilmen holding office on March 22, 2012, shall continue to hold office for the term for which they were elected and until the succeeding Council takes office under the provisions of this Charter.]]~~ Any Councilman serving a term of office that expires pursuant to this Charter nonconcurrently with the Mayor's term of office and who files a certificate of nomination with the Town Clerk pursuant to Section 33-31 of this Charter wishing to be elected to serve as Mayor after the next election, whether he be found qualified for said office or not, or otherwise is elected thereto, shall on the tenth (10) day after said filing, unless said certificate of nomination is otherwise expressly withdrawn in writing by said candidate delivered to the Town Clerk, by operation of law, irrevocably forfeit his remaining term of office as Councilman or otherwise shorten the term of his office to one (1) year to become effective immediately following the forthcoming election, and qualification and installation of his successor pursuant to this Charter. In such cases whereby two (2) Council seats in a given ward become open for election pursuant to this section the person with the most votes will take the ~~[2-year]~~ 4-YEAR seat and the runner-up will fill the vacancy with the ~~[1 year]~~ 2 YEARS remaining.

* * *

Section 33-6. Meetings.

The Council shall meet at 8:00 P.M. on the third Wednesday in March of each year CONTAINING A GENERAL ELECTION for the purpose of organization, after which the Council shall meet the third Wednesday of each month. Special meetings shall be called by the Town Clerk upon the request of the Mayor or at least three of the members of the Council. The rules of the Council shall provide that residents of the Town shall have a reasonable opportunity to be heard at any meeting in regard to any municipal question. All meetings of the Council shall be open to the public, except that the Council may go into an executive session subject to the requirements of the Annotated Code of Maryland, Subtitle 5, "the Open Meetings Act" under the following conditions:

* * *

THE MAYOR

Section 33-15. Selection and term.

CAPITALS	:	Indicate matter added to existing law	Page 2 of 5 (CAR 01-22)
[[Brackets]]	:	Indicate matter deleted from existing law	
Asterisks * * *	:	Indicate that text is retained from existing law but omitted herein.	

The Mayor shall be elected as hereinafter provided and shall hold office for a term of ~~[[two]]~~ FOUR years or until his successor is elected and qualified, but in no case shall a person elected to the office of Mayor or any other elective office under this Charter serve more than twelve (12) consecutive years in elective office. The newly elected Mayor shall take office on the first Wednesday following his election.

* * *

Section 33-32. Election of mayor.

On the second Wednesday of ~~[[May in 2007, and on the second Wednesday of]]~~ March ~~[[2009]]~~ 2023 and every ~~[[two]]~~ FOUR years thereafter, one person shall be elected at large to serve as Mayor for a ~~[[two]]~~ FOUR year term.

Section 33-33. Election of Councilmen.

A. Except as otherwise stated in Subsection C, on the second Wednesday of March in ~~[[2007]]~~ 2023 and every ~~[[two]]~~ FOUR years thereafter, one person from each Ward shall be elected by the qualified voters of his Ward to serve as Councilman for a ~~[[two]]~~ FOUR year term.

B. Except as otherwise stated in Subsection C, on the second Wednesday of March in ~~[[2008]]~~ 2024 and every ~~[[two]]~~ FOUR years thereafter, one person from each Ward shall be elected by the qualified voters of his Ward to serve as Councilman for a ~~[[two]]~~ FOUR year term.

C. In cases where any particular Ward is to have two (2) Council seats open and available for election due to a seated Councilman filing to become a candidate for Mayor while in mid-term as further described in Section 33-3 of this Charter, the candidate receiving the highest number of votes in a particular Ward shall be elected to a ~~[[two-year]]~~ FOUR-YEAR term pursuant to said Section 33-3 and the candidate receiving the second highest number of votes in the same Ward shall be elected to a ~~[[one-year]]~~ TWO-YEAR term or otherwise shall fill the vacancy caused by his predecessor's candidacy for Mayor.

* * *

Section 2. BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted on the aforementioned date, and that upon adoption by the Mayor and Council of The Town of Forest Heights, Maryland, a complete and exact copy of this Charter Amendment Resolution shall be posted in the Town Office for a period of at least forty (40) days following the date of its adoption. Additionally, a fair summary of the proposed Amendment shall be published in a newspaper of general circulation in The Town of Forest Heights not less than four (4) times at weekly intervals within the forty (40) days following the adoption this Charter Amendment Resolution.

Section 3. BE IT FURTHER RESOLVED that the Amendment initiated in this Charter Amendment Resolution shall take effect and shall become and be considered the Charter of The Town of Forest Heights, upon the fiftieth day after being so ordained or passed unless on or before the fortieth day after being so adopted and passed a referendum petition meeting the requirements of State law shall be presented to the Mayor and Council of The Town of Forest Heights, Maryland or mailed to it by certified mail, return receipt requested, bearing a postmark from the United States Postal Service.

Section 4. BE IT FURTHER RESOLVED that when the Charter Amendment hereby initiated becomes effective, as provided herein, or following a referendum election, the Town Clerk shall send separately, by certified mail, return receipt requested, to the Department of Legislative Services within 10 days after the charter resolution becomes effective, the following information concerning the Charter Amendment: (i) the complete text of this Charter Amendment Resolution; (ii) the date of the referendum election, if any held with respect thereto; (iii) the number of votes cast for and against this Charter Amendment Resolution by the Mayor and Council of The Town of Forest Heights, Maryland or a referendum election; and (iv) the effective date of the Charter Amendment.

Section 5. BE IT FURTHER RESOLVED that the Town Clerk of The Town of Forest Heights is specifically instructed to carry out the provisions of Sections 2, 3, and 4 hereof, as evidence of compliance herewith, the Town Clerk shall cause to be affixed to this Charter Amendment Resolution and to the Minutes of the Mayor and Council Meeting in which it is adopted (i) an appropriate certificate of publication of the newspaper in which the summary of the Charter Amendment Resolution shall have been published and (ii) return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.

PASSED by the Mayor and Council of The Town of Forest Heights, Maryland at a regular or special meeting on the ___ day of March 2022.

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

Calvin Washington, Mayor

Taunya Hines, Council President

CERTIFICATE OF EFFECT

I, HEREBY CERTIFY THAT THE FOREGOING CHARTER AMENDMENT RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS DESIGNATED CHARTER AMENDMENT RESOLUTION NO. 01 - 22, WAS DULY INTRODUCED, READ, AND WAS ADOPTED BY THE MAYOR AND COUNCIL AT A DULY ANNOUNCED PUBLIC MEETING AND THEREAFTER POSTED AND ADVERTISED FOR FOUR SUCCESSIVE WEEKS, IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND AND CHARTER OF THE TOWN OF FOREST HEIGHTS.

ATTEST:

Sherletta Hawkins, Town Clerk
Town of Forest Heights, Maryland

CHARTER AMENDMENT RESOLUTION (“CAR”) SCHEDULE

DATE OF 21-DAY PUBLIC HEARING NOTICE _____
DATE OF CAR INTRODUCTION/PASSED _____
40-DAY POSTING END DATE: _____
FAIR SUMMARY NEWSPAPER _____
WEEKLY PUBLICATION DATES (x 4): _____

EFFECTIVE (50TH DAY) DATE: _____